

**TOWN OF FLORENCE  
REGULAR MEETING  
AGENDA**

PURSUANT TO A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE FLORENCE TOWN COUNCIL AND TO THE GENERAL PUBLIC THAT THE FLORENCE TOWN COUNCIL WILL HOLD A MEETING OPEN TO THE PUBLIC ON MONDAY, MAY 7, 2012, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.

**1. CALL TO ORDER**

- 2. ROLL CALL:** Mayor Kilvinger\_\_\_\_; Vice-Mayor Smith\_\_\_\_;  
Councilmembers: Vallarie Woolridge\_\_\_\_; Tom Celaya\_\_\_\_;  
Arnie Raasch\_\_\_\_; Bill Hawkins\_\_\_\_; Barbara Brown\_\_\_\_.

**3. PLEDGE OF ALLEGIANCE**

**4. CALL TO THE PUBLIC**

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

**5. PUBLIC HEARING AND PRESENTATIONS**

- a. **Public Hearing on** Resolution No. 1343-12:  
Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, TO PROVIDE INCREASES IN NEW RATES AND FEES FOR WATER, WASTEWATER TREATMENT AND SANITATION SERVICES.

- 6. CONSENT:** All items indicated by an (\*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

- a. **\*Acceptance of the Public** Improvement for the Anthem at Merrill Ranch Subdivision Unit No. 17A.
- b. **\*Resolution No. 1344-12:** Adoption of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, VACATING AND ABANDONING A PORTION OF SOUTH DAKOTA AVENUE WITHIN THE TOWN OF FLORENCE, ARIZONA.
- c. **\*Acceptance of Ernest** Feliz's resignation from the Historic District Advisory Commission.
- d. **\*Proclamation declaring** May 2012 as Foster Care Month.
- e. **\*Approval of the** April 2, 2012 and April 16, 2012 Town Council meeting minutes.

- f. \*Receive and file the following Board and Commission meeting minutes:
  - i. **January 25, 2012** Historic District Advisory Commission Minutes
  - ii. **March 21, 2012** Joint-Use Library Advisory Board Minutes
  - iii. **December 6, 2011** Redevelopment Commission Minutes

## **7. NEW BUSINESS**

- a. **Ordinance No. 577-12:** First reading of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING CHAPTER 132 OF TITLE XIII OF THE CODE OF THE TOWN OF FLORENCE, ARIZONA BY ADDING SECTION 132.06 – PUBLIC URINATION OR DEFECATION PROHIBITED.
- b. **Ordinance No. 578-12:** First reading of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING CHAPTER 132 OF TITLE XIII OF THE CODE OF THE TOWN OF FLORENCE, ARIZONA BY ADDING SECTION 132.05 – PUBLIC INCAPACITATION PROHIBITED.

## **8. CALL TO THE COUNCIL**

## **9. ADJOURN TO EXECUTIVE SESSION**

For the purpose of discussion of the public body in accordance with A.R.S. § 38-431.03(a)(1)&(3) to receive legal advice from the Town Attorney regarding Town Manager and Town Attorney contract negotiations; and to consult with Town representatives regarding the purchase of real property in accordance with A.R.S. § 38-431.03(a)(7); and to discuss with and direct the Town Attorney regarding pending litigation with Curis Resources (Arizona) Inc. in accordance with A.R.S. § 38-431.03(a)(4).


## **10. ADJOURN FROM EXECUTIVE SESSION**

## **11. ADJOURNMENT**

Council may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3).

POSTED THE 3<sup>th</sup> DAY OF MAY 2012, BY LISA GARCIA, TOWN CLERK, AT 775 NORTH MAIN STREET, 1000 SOUTH WILLOW STREET, FLORENCE, ARIZONA, AND AT [WWW.FLORENCEAZ.GOV](http://WWW.FLORENCEAZ.GOV).

\*\*\*PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (ADA), THE TOWN OF FLORENCE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY REGARDING ADMISSION TO PUBLIC MEETINGS. PERSONS WITH A DISABILITY MAY REQUEST REASONABLE ACCOMMODATIONS BY CONTACTING THE TOWN OF FLORENCE ADA COORDINATOR, AT (520) 868-7574 OR (520) 868-7502 TDD. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.\*\*\*

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 5a.</b>
<b>MEETING DATE:</b> May 7, 2012  <b>DEPARTMENT:</b> Finance  <b>STAFF PRESENTER:</b> Becki Guilin, Finance Director  <b>SUBJECT:</b> Resolution No. 1343 -12: A Resolution to Increase Utility Rates and Fees.		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input checked="" type="checkbox"/> <b>Public Hearing</b> <input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Regulatory</b> <input type="checkbox"/> <b>1<sup>st</sup> Reading</b> <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Resolution No. 1343-12: A Resolution of the Town of Florence, Pinal County, Arizona, to provide increases in new rates and fees for water, wastewater and sanitation services, effective July 1, 2012.

**BACKGROUND/DISCUSSION:**

At the March 5, 2012 Town Council meeting, a notice of intention to increase utility rates and fees was presented to the Town Council. At this same meeting, the results of the 2011-2012 Utility Rate Study were presented by Economists.com reaffirming the 2009 study.

A Notice of Intention and date of Public Hearing, as per Statute, will be advertised in the April 19, 2012 Florence Reminder. The notice also has been posted on the Town's website since the end of February 2012, under Public Notice and a notice has been included on the April 2012 utility bills.

These annual increases for water, sewer and sanitation rates are also included in this, as set forth in the Utility Rate Study by Economists.com, adopted by Ordinance No. 510-09.

**FINANCIAL IMPACT:**

Water	5% increase to rates and base fees
Sewer	20% increase to rates and base fees
Sanitation	10% increase to rates and base fees

This is based upon the Economists.com utility rate study adopted by Ordinance No.510-09. Rates and fees were projected out based upon operational expense, capital outlay and debt service.

The incremental annual rate and fee increases associated with the 2008-2009 Utility Rate Study are programmed to lessen the impact on the utility users for the next several years, while providing the utilities funding to continue to provide the operational and capital needs of the associated enterprise funds.

Water capital projects total \$21,439,453; wastewater \$49,705,900; and sanitation \$4,025,000. The portions that are not funded by anticipated grants, impact fees or developer contributions will be the responsibility of the enterprise funds. These costs are based upon the current proposed Capital Improvement Plan. These costs were considered in the Utility Rate Study.

A Public Hearing will be held on May 7, 2012 and a request for the Town Council to adopt the rates at fees. Utility rates and fees will become effective July 1, 2012 if this resolution is adopted by the Town Council.

**STAFF RECOMMENDATION:**

Adopt Resolution No 1343 -12 to increase utility rates and fees.

**ATTACHMENTS:**

Resolution No. 1343-12  
Schedules A, B, & C  
Public Notice  
Calendar of Events

**RESOLUTION NO. 1343-12**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, PROVIDING INCREASES IN NEW RATES AND FEES FOR WATER, WASTEWATER AND SANITATION SERVICES, EFFECTIVE JULY 1, 2012.**

**WHEREAS**, it has been brought to the attention of the Council of the Town of Florence that the current fee structure for users of the municipal water, wastewater and sanitation systems and services requires modification to provide for the equitable distribution of the cost of operating the systems; and

**WHEREAS**, the Town Council commissioned a utility rate study and the results of said study indicated that the current fees and charges are not adequate for the financial well being of the Water, Wastewater and Sanitation systems.

**NOW, THEREFORE, BE IT RESOLVED** that the Fee Schedule of the Town of Florence is hereby amended to read in conformity with Exhibits A, B, and C hereto, each of which is attached hereto and incorporated herein as follows;

Water Rates and Fees	Exhibit A
Wastewater Rates and Fees	Exhibit B
Solid Waste Rates and Fees	Exhibit C

**AND**, that the Fee Schedules for Water Rates and Fees, Wastewater Rates and Fees, and Solid Waste Rates and Fees Shall be effective July 1, 2012, and shall continue thereafter in full force and effect until further action of the Council.

**PASSED** and **ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 7<sup>th</sup> day of May, 2012.

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Vicki Kilvinger, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Lisa Garcia, Town Clerk

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James E. Mannato, Town Attorney

# WATER RATES AND FEES

## Monthly Volume Charges - Inside Municipality

Existing Rates	Effective Date						
Customer Category	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016	Units
Under 10,000 gallons	\$1.38	\$1.45	\$1.52	\$1.59	\$1.67	\$1.76	1,000 gallons
10,000 to 18,700 gallons	\$1.94	\$2.01	\$2.11	\$2.21	\$2.32	\$2.44	1,000 gallons
Over 18,700 gallons	\$3.39	\$3.56	\$3.74	\$3.93	\$4.12	\$4.33	1,000 gallons
Under 1,337 cubic feet	\$1.03	\$1.08	\$1.14	\$1.19	\$1.25	\$1.31	100 cubic feet
1,337 to 2,500 cubic feet	\$1.42	\$1.50	\$1.57	\$1.65	\$1.73	\$1.82	100 cubic feet
Over 2,500 cubic feet	\$2.55	\$2.67	\$2.81	\$2.95	\$3.10	\$3.25	100 cubic feet

## Monthly Volume Charges - Outside Municipality

	Effective Date						
Customer Category	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016	Units
Under 10,000 gallons	\$1.76	\$1.85	\$1.94	\$2.04	\$2.14	\$2.25	1,000 gallons
10,000 to 18,700 gallons	\$2.44	\$2.56	\$2.69	\$2.83	\$2.97	\$3.12	1,000 gallons
Over 18,700 gallons	\$4.33	\$4.55	\$4.77	\$5.01	\$5.26	\$5.53	1,000 gallons
Under 1,337 cubic feet	\$1.32	\$1.39	\$1.45	\$1.53	\$1.60	\$1.68	100 cubic feet
1,337 to 2,500 cubic feet	\$1.83	\$1.92	\$2.02	\$2.12	\$2.22	\$2.33	100 cubic feet
Over 2,500 cubic feet	\$3.24	\$3.40	\$3.57	\$3.75	\$3.94	\$4.14	100 cubic feet

## Monthly Base Charges - Inside Municipality

	Effective Date					
Meter Sizes	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016
5/8" - 3/4"	\$19.30	\$20.26	\$21.28	\$22.34	\$23.46	\$24.63
1"	\$32.17	\$33.78	\$35.47	\$37.24	\$39.10	\$41.06
2"	\$128.67	\$135.10	\$141.86	\$148.95	\$156.40	\$164.22
3" Compound	\$205.88	\$216.18	\$226.99	\$238.34	\$250.25	\$262.77
3" Turbine	\$225.18	\$236.44	\$248.26	\$260.68	\$273.71	\$287.39
4" Compound	\$321.68	\$337.76	\$354.65	\$372.39	\$391.01	\$410.56
4" Turbine	\$405.32	\$425.59	\$446.86	\$469.21	\$492.67	\$517.30
6" Compound	\$643.37	\$675.54	\$709.32	\$744.78	\$782.02	\$821.13
6" Turbine	\$900.71	\$945.75	\$993.04	\$1,042.69	\$1,094.82	\$1,149.56
8" Turbine	\$1,544.09	\$1,621.29	\$1,702.36	\$1,787.47	\$1,876.85	\$1,970.69
10" Turbine	\$2,444.81	\$2,567.05	\$2,675.40	\$2,830.17	\$2,971.68	\$3,120.27
12" Turbine	\$3,216.85	\$3,377.70	\$3,546.58	\$3,723.91	\$3,910.11	\$4,105.61

## Monthly Base Charges - Outside Municipality

	Effective Date					
Meter Sizes	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016
5/8" - 3/4"	\$25.09	\$26.34	\$27.66	\$29.04	\$30.49	\$32.02
1"	\$41.81	\$43.90	\$46.10	\$48.40	\$50.82	\$53.37
2"	\$167.28	\$175.64	\$184.42	\$193.64	\$203.33	\$213.49
3" Compound	\$267.64	\$281.03	\$295.08	\$309.83	\$325.32	\$341.59
3" Turbine	\$286.94	\$301.29	\$316.35	\$332.17	\$348.78	\$366.22
4" Compound	\$418.19	\$439.10	\$461.06	\$484.11	\$508.32	\$533.73
4" Turbine	\$501.83	\$526.92	\$553.27	\$580.93	\$609.98	\$640.48
6" Compound	\$836.38	\$878.20	\$922.11	\$968.22	\$1,016.63	\$1,067.46

## EXHIBIT A

6" Turbine	\$1,093.72	\$1,148.41	\$1,205.83	\$1,266.12	\$1,329.43	\$1,395.90
8" Turbine	\$2,007.34	\$2,107.68	\$2,213.06	\$2,323.71	\$2,439.90	\$2,561.89
10" Turbine	\$3,178.25	\$3,337.16	\$3,504.02	\$3,679.22	\$3,863.18	\$4,056.34
12" Turbine	\$3,950.29	\$4,147.81	\$4,355.20	\$4,572.96	\$4,801.60	\$5,041.68

### Ordinance No. 510-09

#### WATER STANDPIPE

Consumption Rate	\$2.50/1000 gallons
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#### EFFLUENT CHARGES

Monthly Base Charge	\$50.00
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#### Effluent Monthly Volume Charges

Per 1,000 Gallons	Fiscal Year 2011-2012
	\$0.76

#### WATER SERVICE CONNECTION CHARGES

Meter Sizes	Fees Without Paving	Fees With Paving Repairs
5/8" X 3/4"	\$500	\$1,065
1"	\$625	\$1,165
2"	\$1,150	\$1,665
3"	\$4,920*	\$5,420*
4"	\$5,955*	\$6,455*
6"	\$6,600*	\$7,100*

concrete vault required for 3", 4" and 6" sizes will be the responsibility of the developer

#### SEPARATE TAP AND METER INSTALLATIONS

##### TAP ONLY (Inside Municipality)

Meter Sizes	Without Paving Repairs	With Paving Repairs
5/8" X 3/4"	\$415	\$980
1"	\$520	\$1,060
2"	\$825	\$1,325
3"	\$2,135*	\$2,635*
4"	\$2,600*	\$3,100*
6"	\$2,830*	\$3,330*

concrete vault required for 3", 4" and 6" sizes will be the responsibility of the developer

##### METER ONLY

Meter Sizes	Fee
5/8" X 3/4"	\$350
1"	\$450
2"	\$1,050
3"	\$1,325*
4"	\$1,475*
6"	\$4,000*

street shall be considered paved and subject to paving repairs if described and defined

#### IRRIGATION METER

## EXHIBIT A

5/8" X 3/4"	\$300
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materials for installation.

### TAPS FOR WATER MAIN EXTENSIONS

Tap Size	Fee
2" to 4"	\$175
6" to 8"	\$205
10" to 12"	\$245

materials. The contractor must furnish and install the

### WATER SHUT-DOWN CHARGES

Tap Size	a.m.-2:30 p.m.	hours/weekends/
12" and smaller	\$175	\$350
Larger than 12"	\$295	\$590

### DEPOSITS AND FEES

Refundable Deposits- Residential see Town Code for additional criteria- Chapter 50 Section 50.120	\$150 or 2 times the monthly	
Commercial or industrial services using 7,000 cubic feet or 52,360 gallons in any one calendar year- Chapter 50 Section 50.120	\$225 or 2 times the monthly	
Service Fee to Establish New or Existing Service-Required on all water connections or re- connections. Chapter 50 Section 50-142	\$20 regular business hours M-F 7:00 a.m. - 2:30 p.m.	\$75 after regular business hours/week- ends or holidays
Service Reestablishment Charge-Customer/Family Returning to Same Address within 12 months.	Refer to Chapter 50 Section 50.143	
Service Reestablishment Charge-Customer after disconnect for non-payment Chapter 50 Section 50.143	\$50 regular business hours M-F 7:00 a.m. - 2:30 p.m.	\$100 after regular business hours/week- ends or holidays
Disconnect for nonpayment list; day of disconnect Chapter 50 Section 50.143	\$25	
Service Relocation Charge	and equipment costs	
Special Meter Readings-Refer to Chapter 50 Section 50.107	\$20	
Meter Testing-Refer to Chapter 50. Section 50.107	\$80	
Labor per hour charge	\$37.50	

### DEPOSITS AND FEES - FIRE HYDRANT METERS

Refundable Deposit*	\$1,000
Installation Charge	\$75
Removal Charge	\$70



## EXHIBIT A

Failure to return Hydrant Key	\$100
Repair of Hydrant meter or connection	Time and Material
Fire Flow Testing	\$120
Daily service charge	\$10
Consumption Rate	\$2.50/1000 gallons

additional \$1,000 will be charged.

### FIRE PREVENTION SYSTEM

line show consumption without a fire having occurred and	\$100.00
system be opened without prior notification and approval of	\$100.00
diameter of service pipe shall be made.	\$4.60 per inch

### SERVICE FEES FOR NEW OR EXISTING SERVICES

(Charged to customer account if the meter lock placed on	\$35
to customer's account if it is necessary to remove meter or	\$45
account if it is necessary to remove meter or jumper device	\$45
Water repayment agreement	\$265

Approved by Town Council on 1/16/07 Ordinance # 453-07, 6/6/2011 Ordinance 559-11.

# WASTEWATER RATES AND FEES

## SEWER INSTALLATION

	Inside Municipality	Outside Municipality
Alley/Street Tap	\$950	\$1,900

### Monthly Variable Charges per 1,000 Gallons

	Effective Date					
Customer Category	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016
Residential/Mobile Homes	\$2.99	\$3.59	\$3.95	\$4.35	\$4.57	\$4.79
Commercial	\$3.04	\$3.61	\$3.97	\$4.37	\$4.59	\$4.82
Institutional	\$4.20	\$5.74	\$5.97	\$6.94	\$7.36	\$7.64
Outside Municipality (Residential)	\$2.99	\$3.59	\$3.95	\$4.35	\$4.57	\$4.79

### Monthly Variable Charges per 100 Cubic Feet

	Effective Date					
Customer Category	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016
Residential/Mobile Homes	\$2.24	\$2.69	\$2.96	\$3.25	\$3.42	\$3.59
Commercial	\$2.25	\$2.70	\$2.97	\$3.27	\$3.43	\$3.60
Institutional	\$3.44	\$4.29	\$4.47	\$5.19	\$5.50	\$5.71
Outside Municipality (Residential)	\$2.24	\$2.69	\$2.96	\$3.25	\$3.42	\$3.59

### Monthly Base Charges

	Effective Date					
Customer Category	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016
Residential/Mobile Homes	\$12.78	\$15.33	\$16.87	\$18.55	\$19.48	\$20.45
Commercial	\$12.78	\$15.33	\$16.87	\$18.55	\$19.48	\$20.45
Institutional	\$12.78	\$15.33	\$16.87	\$18.55	\$19.48	\$20.45
Outside Municipality (Residential)	\$12.78	\$15.33	\$16.87	\$18.55	\$19.48	\$20.45

**Commercial:** Includes but not limited to office, multi-family, school, and government facilities.

**Institutional:** Includes but not limited to multi-bed, self-contained facilities with or without kitchen.

**Ordinance No. 510-09, Ordinance No. 559-11.**

## PRETREATMENT PROGRAM

### Volume Charges per Excess Pound Treated

Customer Category	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016
Biochemical Oxygen Demand (BOD)	\$0.56	\$0.80	\$0.83	\$0.97	\$1.03	\$1.06
Suspended Solids (TSS)	\$0.38	\$0.56	\$0.58	\$0.69	\$0.72	\$0.75

**Ordinance No. 510-09**

### OTHER SEWER UTILITY FEES

Labor	\$37.50	per hour
BOD Test	\$45	each
TSS Test	\$15	each
*Inspection Fees	\$25	Month
Sewer Repayment Agreement	\$100	each
Sewer Reapplication of Service-Sec. 188.1 (a)	\$75	each

## EXHIBIT B

users with dining facilities shall pay a commercial inspection fee.

### CHARACTERISTICS

	Flow	BOD/TSS
Residential	45%	55%
Multifamily	45%	55%
Trailer Court	45%	55%
<b>Commercial</b>		
W/O Dining	43%	57%
W/Dining	46%	54%
Laundries	51%	49%
<b>Restaurant</b>		
W/O Dining	52%	48%
W/Dining	53%	47%
<b>Public</b>		
W/O Dining	43%	57%
W/Dining	43%	57%

### NON-HAZARDOUS LIQUID WASTE FEES

Gallons	Chemical Toilets Inside Municipality	Residential Septic Tanks Inside Municipality	Chemical Toilets Outside Municipality	Residential Septic Tanks Outside Municipality
500	\$75.00	\$72.00	\$112.50	\$108.00
1,000	\$80.25	\$74.25	\$120.38	\$111.38
1,500	\$85.50	\$76.50	\$128.25	\$114.75
2,000	\$90.75	\$78.75	\$136.13	\$118.13
2,500	\$96.00	\$81.00	\$144.00	\$121.50
3,000	\$101.25	\$83.25	\$151.88	\$124.88
3,500	\$106.50	\$85.50	\$159.75	\$128.25
4,000	\$111.75	\$87.75	\$167.63	\$131.63
4,500	\$117.00	\$90.00	\$175.50	\$135.00
5,000	\$122.25	\$92.25	\$183.38	\$138.38
5,500	\$127.50	\$94.50	\$191.25	\$141.75
6,000	\$132.75	\$96.75	\$199.13	\$145.13
6,500	\$138.00	\$99.00	\$207.00	\$148.50

### PERMIT

1st Vehicle	\$92.00
Add itional Vehicle	\$20.00
1st Violation Permit Fee	\$1,000.00
Violation - Without Permit	\$10,000.00
1st Suspension Permit Fee	\$5,000.00
2nd Suspension Permit Fee	\$10,000.00

Approved by Town Council on 1/16/07 Ordinance # 453-07,  
6/6/2011 Ordinance #559-11

## SOLID WASTE RATES AND FEES

Type of Pick-Up	Pick-Up Per Week	7/6/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016	7/1/2017
Residential	2	\$26.34	\$28.98	\$30.42	\$31.94	\$33.54	\$35.22	\$36.98

### Commerical-90 Gallon

Commerical-90 Gallon	2	\$26.34	\$28.98	\$30.42	\$31.94	\$33.54	\$35.22	\$36.98
Commerical-90 Gallon	3	-	-	-	-	-	-	-
Commerical-90 Gallon	5	-	-	-	-	-	-	-

### 1.5 Cubic Yard

Commerical-1.5 CY	2	\$61.12	\$67.23	\$70.60	\$74.13	\$77.83	\$81.72	\$85.81
Commerical-1.5 CY	3	\$91.68	\$100.85	\$105.89	\$111.19	\$116.75	\$122.59	\$128.72
Commerical-1.5 CY	5	\$152.81	\$168.09	\$176.49	\$185.32	\$194.58	\$204.31	\$214.53

### 3 Cubic Yard

Commerical-3 CY	2	\$88.77	\$97.65	\$102.53	\$107.66	\$113.04	\$118.69	\$124.63
Commerical-3 CY	3	\$133.16	\$146.48	\$153.80	\$161.49	\$169.56	\$178.04	\$186.94
Commerical-3 CY	5	\$221.93	\$244.13	\$256.33	\$269.15	\$282.61	\$296.74	\$311.57

### 4.5 Cubic Yard

Commerical-4.5 CY	2	\$116.42	\$128.07	\$134.47	\$141.19	\$148.25	\$155.67	\$163.45
Commerical-4.5 CY	3	\$174.64	\$192.10	\$201.70	\$211.79	\$222.38	\$233.50	\$245.17
Commerical-4.5 CY	5	\$291.06	\$320.17	\$336.17	\$352.98	\$370.63	\$389.16	\$408.62

### 6 Cubic Yard

Commerical-6 CY	2	\$144.07	\$158.48	\$166.41	\$174.73	\$183.46	\$192.64	\$202.27
Commerical-6 CY	3	\$216.11	\$237.72	\$249.61	\$262.09	\$275.19	\$288.95	\$303.40
Commerical-6 CY	5	\$360.19	\$396.21	\$416.02	\$436.82	\$458.66	\$481.59	\$505.67

### 7.5 Cubic Yard

Commerical-7.5 CY	2	\$171.73	\$188.90	\$198.34	\$208.26	\$218.67	\$229.61	\$241.09
Commerical-7.5 CY	3	\$257.59	\$283.35	\$297.51	\$312.39	\$328.01	\$344.41	\$361.63
Commerical-7.5 CY	5	\$429.31	\$472.24	\$495.86	\$520.65	\$546.68	\$574.02	\$602.72

### 9 Cubic Yard

Commerical-9 CY	2	\$199.38	\$219.31	\$230.28	\$241.79	\$253.88	\$266.58	\$279.91
Commerical-9 CY	3	\$299.06	\$328.97	\$345.42	\$362.69	\$380.82	\$399.87	\$419.86
Commerical-9 CY	5	\$498.44	\$548.28	\$575.70	\$604.48	\$634.71	\$666.44	\$699.77

### 10.5 Cubic Yard

Commerical-10.5CY	2	\$227.03	\$249.73	\$262.22	\$275.33	\$289.09	\$303.55	\$318.73
Commerical-10.5 CY	3	\$340.54	\$374.59	\$393.32	\$412.99	\$433.64	\$455.32	\$478.09
Commerical-10.5 CY	5	\$567.57	\$624.32	\$655.54	\$688.32	\$722.73	\$758.87	\$796.81

### CONTAINER FEES\*

90-Gallon container (each)	\$120.00
300-Gallon container (each)	\$300.00

## EXHIBIT C

---

\*Fee includes the cost of initial or replacement containers. If containers are damaged by the Town, then the replacement fee will be waived.

### OTHER FEES

Truck Rentals:	
For Residential Trash Pick-Up (each)	\$30.00
For Business Trash Pick-Up (each)	\$60.00
(less than 6 cubic yards)	\$72.00
Refundable Deposit-2 year Chapter 52 Section 52.104	\$75.00
Establishment Fee Chapter 52 Section 52.104	\$30.00
Redelivery Fee-Nonpayment	\$30.00
Extra Charge for special pickup of un-containerized materials:	\$7.20 per yard (Contingent upon landfill fees)

### SPECIAL EVENT FEES

Delivery & Pick-Up of Containers (each)	\$12.00
Charge by cubic yards for contents of container. Contact Public Works for charge	Current landfill fee

Approved by Town Council on 1/16/07 Ordinance # 453-07.

Approved by Town Council on 6/6/11 Ordinance # 559-11 .

## 2012 Utility Rate Study Calendar of Events

<b>Date</b>	<b>Event</b>
<b>February 27, 2012</b>	<b>File Rate Study with Town Clerk's Office</b>
<b>February 28, 2012</b>	<b>Notice of Intention to Increase Utility Rates and Fees</b> <b>Post on website</b> -Must post on 60 days in advance of approval or disapproval by the governing body
<b>March 5, 2012</b>	<b>Presentation of Utility Rate Study by Consultant</b> Town Council to discuss methodology and rates.
<b>March 5, 2012</b>	<b>Adopt Resolution to Accept Utility Rate Study</b>
<b>March 5, 2012</b>	<b>Adopt Resolution to Declare Rate Study a Public Record</b> Report shall be made available to the public at least thirty days before the public hearing
<b>March 5, 2012</b>	<b>Adopt Resolution and Declare Intention to Increase Utility Rates and set a date for a Public Hearing-ARS§9-499.15</b>
<b>April 1, 2012</b>	<b>Notification by utility mailer to all customers-Notice of Public Hearing</b>
<b>April 13, 2012</b> <b>April 19, 2012</b>	<b>Notice of Intention to Newspaper</b> <b>Publish Notice of Intention to Increase Utility Rates and date of Public Hearing</b> A copy of the notice of intention showing the date, time and place of the hearing shall be published one time in a newspaper of general circulation within the boundaries not less than twenty days before the public hearing date. Post on Town Website.
<b>May 7, 2012</b>	<b>Hold Public Hearing and adopt resolution</b> After holding the public hearing, the council may adopt, by ordinance or resolution, the proposed rate component, fee or service charge increase or any lesser increase.
<b>May 7, 2012</b>	<b>Adopt Resolution for Rate Increases</b> Rates and fees become effective thirty days after adoption of the ordinance or resolution.
<b>June 1, 2012</b>	<b>Notice on utility bills that rates will increase effective 7/1/2012.</b>
<b>July 1, 2012</b>	<b>Rates become effective</b>

**Authority:** Arizona State Revised Statutes 9-511.01 Water and wastewater business



## Notice of Intention to Increase Water, Wastewater, and Solid Waste Rates

Notice is hereby given that on May 7, 2012, the Town Council of the Town of Florence, Arizona, will hold a public hearing to receive public input concerning a proposal to increase water, wastewater and solid waste rates and fees. A written report, prepared by Economists.com, in support of the proposed rates is on file in the office of the Town Clerk and is available for public inspection.


Public Hearing shall be held at 775 N. Main Street, Florence AZ 85132, in the Town Council Chambers at 6:00 P.M.

\*\*\*PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (ADA), THE TOWN OF FLORENCE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY REGARDING ADMISSION TO PUBLIC MEETINGS. PERSONS WITH A DISABILITY MAY REQUEST REASONABLE ACCOMMODATIONS BY CONTACTING THE TOWN OF FLORENCE ADA COORDINATOR AT (520) 868-7574 OR (520) 868-7502 TDD. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION. \*\*\*

Legal Ad (Surrounded by border)

1/8 page

Publish: April 19, 2012

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 6a.</b>
<b>MEETING DATE:</b> May 7, 2012  <b>DEPARTMENT:</b> Public Works  <b>STAFF PRESENTER:</b> Wayne J. Costa, Public Works Director/Town Engineer  <b>SUBJECT:</b> Acceptance of the Public Improvements for the Anthem at Merrill Ranch Subdivision Unit No. 17A.		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <div style="margin-left: 20px;"> <input type="checkbox"/> <b>Regulatory</b>  <input type="checkbox"/> <b>1<sup>st</sup> Reading</b>  <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> </div> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Approve the Acceptance of the Public Improvements prior to the start of the warranty period, which shall be the date of this approval.

The Town Engineer has found that all of the pavements, utilities, storm sewer, grading/drainage improvements and all other required improvements within the right-of-way/easements have been constructed in accordance with the requirements of the Town Code and specified engineering standards.

The following documentation represents the prerequisite for approval including the delivery of required certification together with test results and as-built drawings.

**DOCUMENTATION**

- Final Grading and Drainage As-Builts
- Final Paving and Profile Plans
- Final Water and Sewer Plans As-Builts
- Water Pressure, Leak, Chlorine and Bacteria Testing
- Sewer Pressure, Mandrel, Camera, Vacuum, Insecticide Testing
- Material Testing Package
- Engineers Certificates of Construction for Water and Sewer
- ADEQ Approval of Construction for Water and Sewer
- Fire Department Acceptance Document
- Johnson Utilities Acceptance Document
- Dry Utility Drawings



## **BACKGROUND/DISCUSSION:**

The property is located in the Anthem at Merrill Ranch Subdivision, owned by Pulte Homes, Inc., with Jack Johnson Company, as the Engineer of Record. Pulte Homes, Inc. has completed the public improvements necessary for the development of Unit 17A of the Anthem at Merrill Ranch Subdivision and has requested the Town of Florence to accept the completed improvements for ownership and maintenance. The limits of the accepted Unit 17A are further defined as Desert Blossom Way, Sta. 10+54.59 to Sta. 15+08.58; Georgetown Way, Sta. 10+00 to Sta. 21+55.85; Princeton Drive, Sta. 10+00 to Sta. 12+70; and Rushmore Way, Sta. 13+00 to Sta. 22+04.76.

All improvements in the public right-of-way or easements have been constructed under inspection and approval of the Town Engineer/Public Works Department and/or utility company having jurisdiction. The following improvements with regards to Unit 17A have been completed and are subject to a one (1) year warranty period prior to acceptance for maintenance; grading, paving, concrete, water, sewer, signing, pavement markings, and storm drain. Street lighting has been completed and is subject to a two (2) year warranty period prior to maintenance acceptance. Acceptance of maintenance of these improvements will be by separate document at the end of the warranty period.

The developer shall maintain the subdivision improvements, free from defects, for the warranty period and shall promptly correct any defect which they have noticed or which the Town discovers which occurs prior to the terminus of the warranty period from the date of the acceptance of all improvements.

## **FINANCIAL IMPACT:**

Acquisition of infrastructure assets will be based upon acceptance of assets by the Town Council recorded, as specified in the Capital Asset Policy and Procedure, prior to acceptance for maintenance/replacement by the Town. A summary of quantities for each asset will be accepted into the Town's maintenance system, (excepting water/sewer utilities) and the total annual estimated costs for the operation and maintenance of these items are as follows:

<b><u>Years</u></b>	<b><u>O+M</u></b>
2 thru 5	\$ 24,000 (Total)
6 thru 20	\$ 74,000 (Total)
*21 <sup>st</sup>	\$ 240,700 (Reconstruct)

\*After 21<sup>st</sup> year, or as deemed necessary for reconstruction, then the O+M Costs are re-cycled based upon the yearly values.

**STAFF RECOMMENDATION:**

Staff recommends approval of the action due to the potential social and economic impacts and effects of new subdivisions within Florence. The proposed acceptance of this development may change the lives of current and future residents by measurement of the potential socio-economic impacts such as:

- Change in demographics
- Resulting retail/service and housing benefits
- Change in employment and income levels
- Changes in quality of life in the community
- Satisfying current housing needs
- Specialty house meeting the needs of the groups considered

**ATTACHMENTS:**

Letter of Acceptance, (Unit 17A)

## Town of Florence

PO Box 2670  
775 North Main Street  
Florence, Arizona 85132

Phone (520) 868-7500  
Fax (520) 868-7501  
TDD (520) 868-7502

[www.town.florence.az.us](http://www.town.florence.az.us)

### TOWN SERVICES

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Building Safety  
868-7556

Finance  
868-7624

Fire  
868-7609

Grants  
868-7513

Human Resources  
868-7545

Library  
868-9471

Municipal Court  
868-7514

Parks and Recreation  
868-7589

Community Planning  
868-7575

Police  
868-7681

Public Works  
868-7620

Senior Center  
868-7622

Town Attorney  
868-7557

Utility Billing  
868-7680

Water/Wastewater  
868-7677

May 1, 2012

Mr. Daniel Bonow, Manager of Planning & Entitlements  
Pulte Homes, Inc.  
15111 N. Pima Road  
Scottsdale, AZ 85260

Re: Letter of Acceptance: Anthem @ Merrill Ranch Unit 17A

Dear Mr. Bonow:

This letter is to indicate that the streets, street lights, sidewalks, curbs and gutters, storm drainage structures and appurtenances, and all other constructed infrastructure is located within our dedicated rights-of-ways and/or platted easements. All traffic signs, pavement markings, and subdivision monuments have been placed. We have caused prudent on site inspections, and other quality control measures at a frequency and of a number as required by the various sections of the Town of Florence standards to assure that among other things, dimensions have been met, correct materials have been used, and required densities of materials have been achieved. To the best of our knowledge (based upon my review of these investigations, tests, and inspections), all of the above improvements have been constructed in accordance with the approved plans, Town of Florence standards, and conform to the current Town Code of Florence.

It is understood that there is a 12-month minimum maintenance period that covers all of the public improvements and that said guarantee begins at the date of acceptance by Town Council. The developer understands that he is responsible for any discrepancies found in the subdivision improvements which are a result of defective design, workmanship, or materials for the maintenance period. Street lighting has a 24-month minimum maintenance period.

Prior to one (1) year, after appropriate inspection(s) and correction(s), the infrastructure will be accepted into the Town's maintenance system. Two (2) years for street light.

Sincerely,



Wayne J. Costa, P.E.  
Town Engineer

Cc: J. Knudson, TOF  
M. Eckoff, TOF  
J. Baxter, Baxter Design



## TOWN OF FLORENCE COUNCIL ACTION FORM

### AGENDA ITEM 6b.

**MEETING DATE:** May 7, 2012

**DEPARTMENT:** Community Development

**STAFF PRESENTER:** Mark Eckhoff, AICP  
Community Development Director

**SUBJECT:** Resolution No. 1344-12: Right-of-Way  
Abandonment for South Dakota Avenue (TC-15-12-AB).

- ☒ Action
- ☐ Information Only
- ☐ Public Hearing
- ☒ Resolution
- ☐ Ordinance
  - ☐ Regulatory
  - ☐ 1<sup>st</sup> Reading
  - ☐ 2<sup>nd</sup> Reading
- ☐ Other

### RECOMMENDED MOTION/ACTION:

Motion to adopt Resolution No. 1344-12, for the right-of-way abandonment of a portion of South Dakota Avenue (TC-15-12-AB).

### BACKGROUND/DISCUSSION:

Community Development and Engineering staff have been working with the Caliente Home Owner's Association (HOA), who own the land west of the subject portion of South Dakota Avenue within Caliente, on their plans to enlarge and improve their community parking lot and storage area. The Caliente HOA has requested the abandonment of the excess right-of-way adjacent to their current parking area. Staff concurs with this request and is processing this item in order to facilitate their efforts.

This resolution proposes to abandon the west five feet along a portion of South Dakota Avenue, as further described by the exhibits herein. The remaining section of South Dakota Avenue adjacent to the parking area would be 20 feet wide, which is suitable for public and emergency access.

### FINANCIAL IMPACT:

None.

### STAFF RECOMMENDATION:

Staff recommends the adoption of Resolution No. 1344-12, for the right-of-way abandonment of a portion of South Dakota Avenue (TC-15-12-AB).

### ATTACHMENTS:

- Resolution No. 1344-12
- Exhibit A: Legal Description
- Record of Survey

Subject: South Dakota Avenue Abandonment (TC-15-12-AB)

Meeting Date: May 7, 2012

Page 1 of 1

## **RESOLUTION NO. 1344-12**

### **A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, VACATING AND ABANDONING A PORTION OF SOUTH DAKOTA AVENUE WITHIN THE TOWN OF FLORENCE, ARIZONA.**

**WHEREAS**, the Town of Florence is authorized pursuant to A.R.S. § 9-240(B)(3)(e) to vacate, abandon and abolish streets; and

**WHEREAS**, an application has been made to the Town of Florence for the abandonment of a portion of right-of-way within the Town, as more particularly described in Exhibit "A", which exhibit is hereby incorporated in this resolution as though fully set forth herein; and

**WHEREAS**, the Florence Town Council finds that the request is in proper form; that proper notice has been given for the Town Council meeting; that no land adjoining said portion of right-of-way will be left without access to a public highway; and the Council, having considered the feasibility, advantages and necessity of said action finds the public interest will be served by granting such abandonment.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

1. That a portion of right-of-way within the Town of Florence, Arizona known as "South Dakota Avenue", and as more particularly described in Exhibit "A" hereto, is hereby vacated and abandoned, and title thereto shall vest in the owners of the property adjoining such right-of-way in accordance with law, except that any existing rights-of-way or easements of existing canals, laterals, sewers, gas, water, electric, telephone and similar lines, pipelines and appurtenances shall continue as they existed prior to the vacating, abandonment or abolishment thereof.
2. Be it further resolved that the Mayor of the Town of Florence on behalf of the Florence Town Council is authorized to execute this resolution and all other documents which may be necessary to release all rights held by the Town of Florence in said right-of-way.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 7<sup>th</sup> day of May 2012.

---

Vicki Kilvinger, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

---

Lisa Garcia, Town Clerk

---

James E. Mannato, Town Attorney

## **EXHIBIT A**

### **RIGHT-OF-WAY ABANDONMENT SOUTH DAKOTA-CALIENTE**

**Abandon a portion of the South Dakota Avenue Right-of-Way located in the Southwest Quarter of Section 24, Township 4 South, Range 9 East, more particularly described as follows:**

**Beginning at the West Quarter of Section 24, Township 4 South, Range 9 East,**

**Thence N 89°34'21"E a distance of 1556.05 feet to a point;**

**Thence S 00°10'27"E to a point on a curve to the right, having a central angle of 3°34'14", and a radius of 334.19 feet, also being the South Right-of-Way line of Maricopa Boulevard;**

**Thence along said curve a distance of 20.01 feet to the POINT OF BEGINNING;**

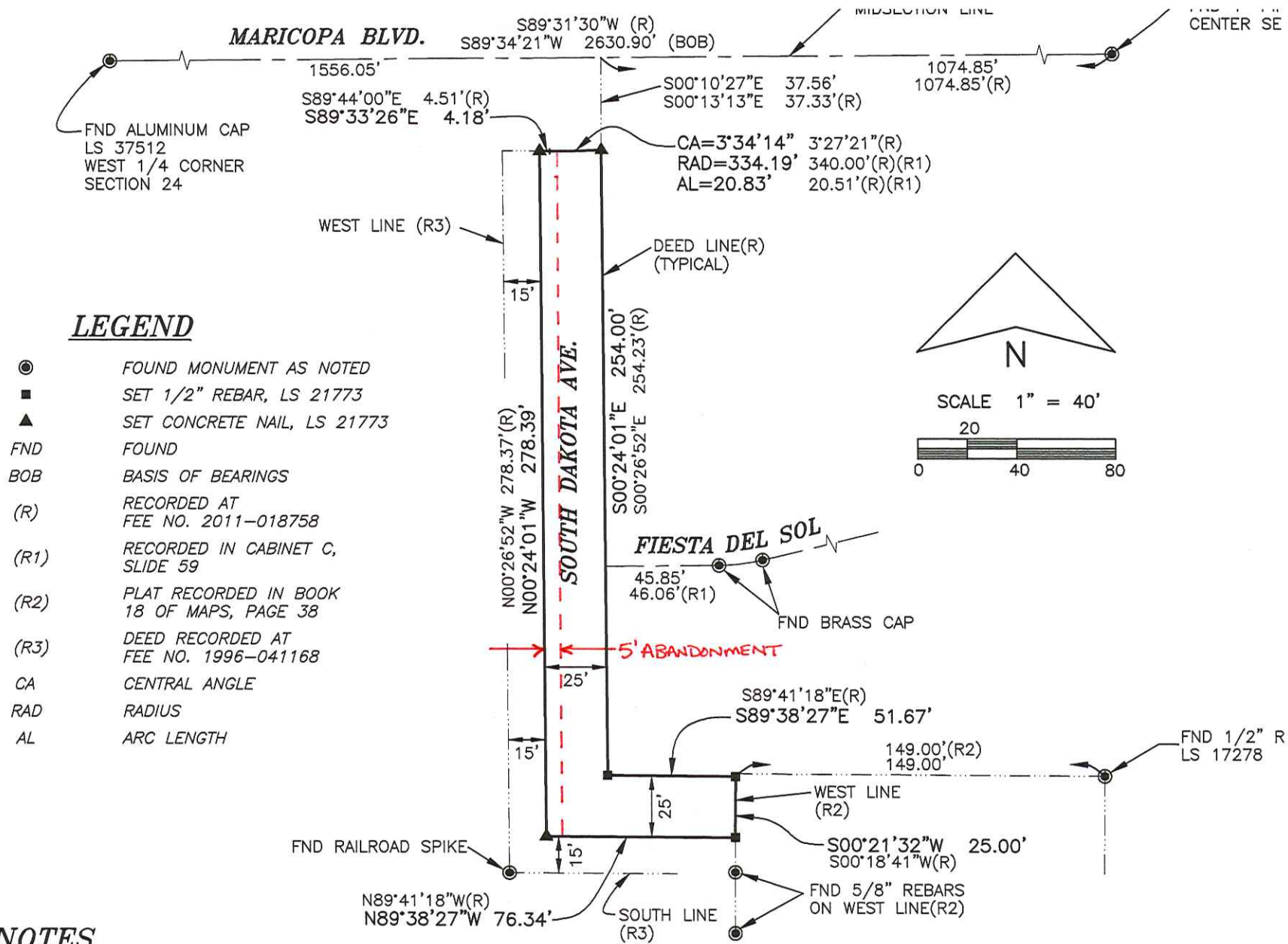
**Thence continuing along said curve a distance of 0.82 feet to a point;**

**Thence N 89°44'00"W a distance of 4.18 feet to a point on the Westerly Right-of-Way of South Dakota Avenue;**

**Thence S 00°24'01"E a distance of 278.39 feet along said Westerly Right-of-Way, to a point also being the South Right-of-Way of South Dakota Avenue;**

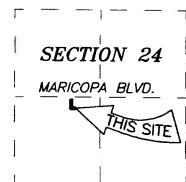
**Thence S 89°38'27"E a distance of 5.00 feet to a point;**

**Thence northerly, five feet east of and parallel to said West Right-of-Way to the POINT OF BEGINNING.**



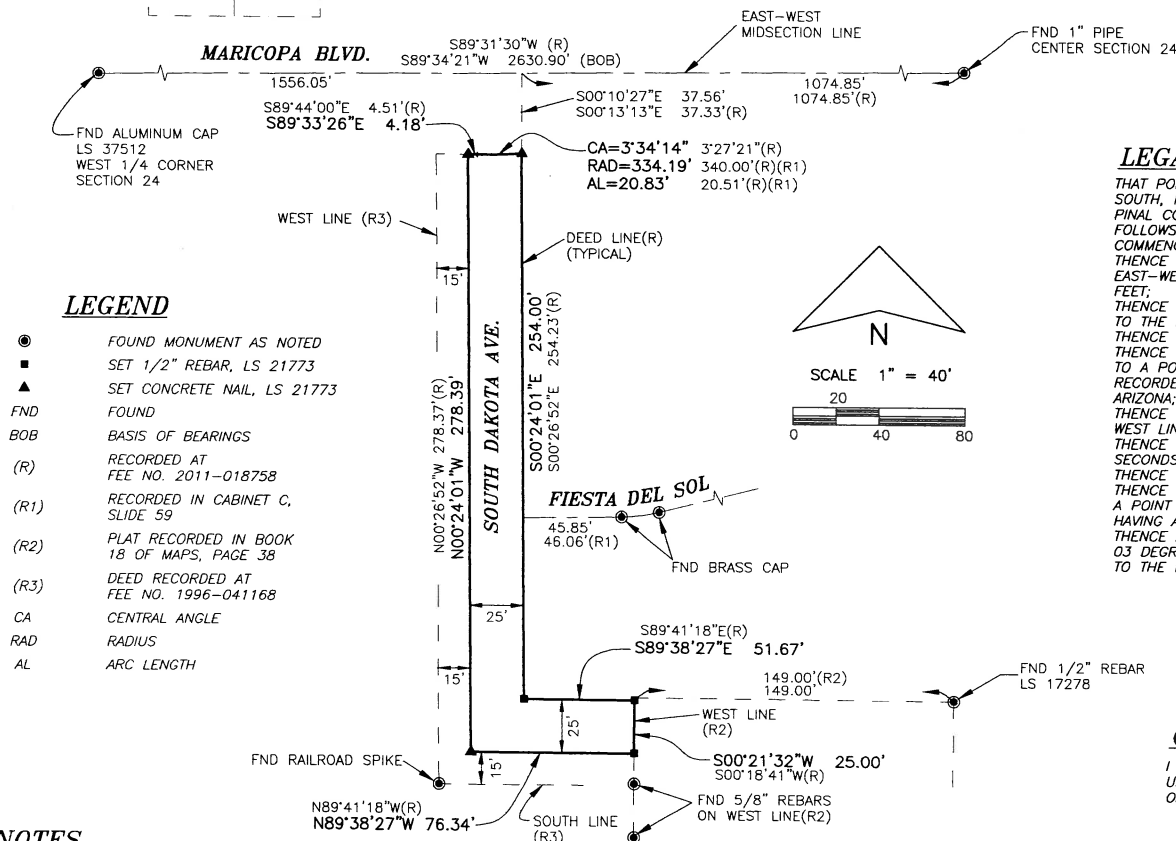


**VICINITY MAP**  
NOT TO SCALE



**RECORD OF SURVEY**  
A PORTION OF THE SOUTHWEST 1/4 OF  
SECTION 24, T.4S., R.9E., G.&S.R.B.&M.  
PINAL COUNTY, ARIZONA

STATE OF ARIZONA }  
COUNTY OF PINAL } SS  
  
I hereby certify that the within instrument is  
filed in the official records of this County in  
Fee No. \_\_\_\_\_  
Date: \_\_\_\_\_  
Request of: \_\_\_\_\_  
Witness my hand and official seal.  
Laura Dean-Lytle Pinal County Recorder  
By: \_\_\_\_\_ Deputy



**LEGAL DESCRIPTION** (FEE NO. 2011-018758)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 9 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE CENTER OF SAID SECTION 24;  
THENCE SOUTH 89 DEGREES 31 MINUTES 30 SECONDS WEST, ALONG THE EAST-WEST MIDSECTION LINE OF SAID SECTION 24 A DISTANCE OF 1074.85 FEET;  
THENCE SOUTH 00 DEGREES 13 MINUTES 13 SECONDS EAST 37.33 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 26 MINUTES 52 SECONDS EAST 254.23 FEET;  
THENCE SOUTH 89 DEGREES 41 MINUTES 18 SECONDS EAST 51.67 FEET TO A POINT ON THE WEST LINE OF HOLIDAY LODGE APARTMENT HOTEL AS RECORDED IN BOOK 18 OF MAPS, PAGE 38, RECORDS OF PINAL COUNTY, ARIZONA;  
THENCE SOUTH 00 DEGREES 18 MINUTES 41 SECONDS WEST ALONG SAID WEST LINE 25.00 FEET;  
THENCE LEAVING SAID WEST LINE NORTH 89 DEGREES 41 MINUTES 18 SECONDS WEST 76.34 FEET;  
THENCE NORTH 00 DEGREES 26 MINUTES 52 SECONDS WEST 278.37 FEET;  
THENCE SOUTH 89 DEGREES 44 MINUTES 00 SECONDS EAST 4.51 FEET TO A POINT MARKING THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 340.00 FEET;  
THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03 DEGREES 27 MINUTES 21 SECONDS AN ARC DISTANCE OF 20.51 FEET TO THE POINT OF BEGINNING.

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*James A. Hewitt*  
JAMES A. HEWITT R.L.S. # 21773  
EXPIRES 3-31-12

**OWNER**

TOWN OF FLORENCE

**PARTIAL LIST OF ADDITIONAL DOCUMENTS REVIEWED**

BOOK 17 OF MAPS, PAGE 05  
BOOK 10 OF SURVEYS, PAGE 239  
BOOK 21 OF SURVEYS, PAGE 122  
BOOK 22 OF SURVEYS, PAGE 290

**ABILITY LAND SURVEYING, INC.**

185 SOUTH MOUNTAIN VIEW ROAD  
APACHE JUNCTION, ARIZONA 85119  
PH 480-982-0413

SHEET NO.  
1 OF 1  
DATE  
01/12  
JOB NO.  
11-1205

May 2, 2012

Lisa Garcia  
Clerk  
Town of Florence

Dear Ms. Garcia,


Please accept my resignation from the Town of Florence Historic District Advisory Commission. I have truly enjoyed my years with the Commission and wish all the members luck in their future. Unfortunately, due to the fact that I have taken a job with the Town of Florence, I am no longer eligible to serve on the Commission.

Thank you for giving me the wonderful opportunity to serve the Town of Florence.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ernest Feliz". The signature is written in a cursive, flowing style.

Ernest Feliz

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 6d.</b>
<b>MEETING DATE:</b> May 7, 2012  <b>DEPARTMENT:</b> Administration  <b>STAFF PRESENTER:</b> Lisa Garcia/Deputy Town Manager/ Town Clerk  <b>SUBJECT:</b> Foster Care Month		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Regulatory</b> <input type="checkbox"/> <b>1<sup>st</sup> Reading</b> <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> <input checked="" type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Declare May 2012 as Foster Care Month

**BACKGROUND/DISCUSSION:**

Pinal County has over 600 children in its foster care system. Nationally, there are nearly 500,000 children in foster care, and not nearly enough licensed foster homes. More foster homes are desperately needed. Throughout the month of May, by honoring foster families, Pinal County hopes to help retain, recruit and support foster families.

**FINANCIAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Proclaim May 2012 as Foster Care Month

**ATTACHMENTS:**

Proclamation

# Proclamation

## FOSTER CARE MONTH MAY 2012

**WHEREAS**, the family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our communities and our State; and

**WHEREAS**, in Pinal County there are over 600 children and youth in foster care being provided with a safe, secure and stable home along with the compassion and nurture of a foster family; and

**WHEREAS**, all young people in foster care need a meaningful connection to a caring adult who becomes a supportive and lasting presence in their lives; and

**WHEREAS**, foster, kinship and adoptive families, who open their homes and hearts and support children whose families are in crisis, play a vital role in helping children and families heal and reconnect thereby launching young people into successful adulthood; and

**WHEREAS**, dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and

**WHEREAS**, there are numerous individuals, public and private organizations who work to increase public awareness of the needs of children in leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care "system" is only as good as those who choose to be part of it.

**NOW, THEREFORE**, I, Vicki Kilvinger, Mayor of the Town of Florence, do hereby proclaim the month of May as **FOSTER CARE MONTH** in Florence, Arizona, and urge all citizens to come forward and do something positive that will help change a lifetime for children and youth in foster care.

Dated this the 7<sup>th</sup> day of May, 2012

---

Vicki Kilvinger, Mayor

**ATTEST:**

---

Lisa Garcia, Town Clerk

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 2, 2012, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Vice-Mayor Smith called the meeting to order at 6:00 p.m.

**ROLL CALL:**

Present: Smith, Raasch, Celaya, Hawkins, Woolridge, Brown  
Absent: Kilvinger

**PLEDGE OF ALLEGIANCE**

Mr. Tom Warner led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

**Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.**

Tara Walter, 2231 N. Smithsonian Drive, Florence, Arizona, thanked the staff for their support in the election process.

**CONSENT: All items indicated by an (\*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

**\*Ratification of the Greater Florence Chamber of Commerce's application for a Special Event Liquor License for a Red Party Cup Open House held March 30, 2012.**

**\*Authorization to accept a the donation of a Snap-On tool box with tools, a pulse oximeter, and a heat stress monitor from the Pinal County Sheriff's Office, approximate value \$4,500.**

**\*Acceptance of John M. Shaw, III's resignation from the Redevelopment Commission.**

**\*Acceptance of Paul E. McClellan's resignation from the Industrial Development Authority.**

**\*Approval of the 2012 Groundwater Saving Agreement with Pinal County Water Augmentation Authority and Maricopa-Stanfield Irrigation and Drainage District.**

**\*Approval of the March 5, 2012, and March 19, 2012 Town Council meeting minutes.**

**\*Receive and file the following Board and Commission meeting minutes:**

**January 18, 2012 and February 15, 2012 Joint-Use Library Advisory Board Minutes**

**September 15, 2011 Planning and Zoning Commission Minutes**

On motion of Councilmember Raasch, seconded by Councilmember Celaya and carried to approve the Consent Agenda as written.

## **UNFINISHED BUSINESS**

### **Ordinance No. 574-12:**

Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 574-12 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AN AMENDMENT TO THE MONTERRA PUD (PLANNED UNIT DEVELOPMENT) (CASE NO. PZC-06-12-PUDA) (First reading held March 19, 2012).**

Councilmember Celaya asked Mr. Mark Eckhoff, Community Development Director, to comment on the exit strategies.

Mr. Mark Eckhoff, Community Development Director, said there were two conditions added to the ordinance, Item Numbers 6 and 7. They reference what would happen when the use ceases to exist and how the land would be repurposed for the subsequent land use. It will clarify that the subsequent land use is residential as depicted in the Monterra Plan. There will also be a follow-up requirement for them to have more details spelled out in a decommissioning plan, which will detail how they are to remove the property and return it to a developable state.

On motion of Councilmember Brown, seconded by Councilmember Raasch and carried to adopt Ordinance No. 574-12.

## **NEW BUSINESS**

### **Resolution No. 1339-12:**

Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1339-12 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON MARCH 13, 2012.**

Ms. Garcia said the Town held an All-Mail Ballot Election, which was very successful. She said 52% of the registered voters voted in this election, which is a considerable increase from previous elections. She said voter registration increased by 295 people from the 2010 General Election to the 2012 Primary Election. The election results are:

Mayoral Seat:

Lina Austin	966 votes
Tom Rankin	1,119 votes

Ms. Garcia said Mr. Rankin will receive a Certificate of Election from the Clerk's Office once Council adopts the resolution.

Councilmember Seats:

Barbara A. Brown	916 votes
Ed Curran	482 votes
Bill Hawkins	1,040 votes
Eugene Klix	345 votes
Ruben Montaño	778 votes
Larry Putrick	792 votes
Terry Thomas	700 votes
Tara Walter	765 votes

Ms. Garcia said the top six vote getters do go on to the General Election, which will also be an All-Mail Ballot Election.

On motion of Councilmember Brown, seconded by Councilmember Celaya and carried to adopt Resolution No. 1339-12.

**CALL TO THE COUNCIL**

Councilmember Hawkins said that he read in the Arizona Republic that House Bill 2199 is to be voted on today. He said under this House Bill, the Arizona mining industry is pushing a bill that would shield them in cases of environmental contamination from civil lawsuits and penalties. The bill would prevent regulators, such as the Arizona Department of Environmental Quality from using any audit findings during an investigation and penalize whistleblowers if they divulge any violations and would keep the information out of the public record. He said he can't believe that anyone would consider a bill such as this. He said they think it will pass. He said he is not sure if it passed. He said if it did pass, then why do they have a Department of Environmental Quality.

## **ADJOURNMENT**

On motion of Councilmember Brown, seconded by Councilmember Raasch and carried to adjourn the meeting at 6:12 p.m.

---

Tom Smith, Vice-Mayor

## **ATTEST:**

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Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on April 2, 2012, and that the meeting was duly called to order and that a quorum was present.

---

Lisa Garcia, Town Clerk



**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 16, 2012, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Mayor Kilvinger called to order at 6:00 p.m.

**ROLL CALL:**

Present: Kilvinger, Smith, Woolridge, Celaya, Raasch, Hawkins, Brown.

**PLEDGE OF ALLEGIANCE**

Councilmember Brown led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

**Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.**

There were no public comments.

**CONSENT: All items indicated by an (\*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

**\*Authorization to enter into a Cooperative Fire Rate Agreement with the Arizona State Forestry Division, Office of the State Forester.**

**\*Authorization to enter into an Agricultural Lease Agreement with Morning Star Farming LLC.**

**\*Authorization to enter into a Special Use Agreement between the Town of Florence and the Florence Aero Modelers for Use and Development of a Model Air Plane Park.**

**\*Approval of accepting the register of demands ending March 31, 2012, in the amount of \$1,770,411.10.**

Vice Mayor Smith requested Item 5a. be removed from the Consent Agenda.

On motion of Councilmember Brown, seconded by Councilmember Celaya and carried to approve the Consent Agenda, with the exception of Item 5a.

**\*Authorization to enter into a Cooperative Fire Rate Agreement with the Arizona State Forestry Division, Office of the State Forester.**

Vice-Mayor Smith stated that he has never seen any financial records with regards to the Cooperative Fire Rate Agreement and the Town of Florence. He said he doesn't believe the Town has responded to any wild land fires in the last two years. He inquired how the finances work with regards to the Town of Florence.

Mr. Himanshu Patel, Town Manager, stated that the Town is not required to respond if they are called upon. It is dependent on the Town's resources and the availability to send the resources to the called upon location.

Jeff Moser, Fire Chief, stated that the last time they responded to a wild land fire was July 2010. He said the Town billed 375.00. He said one of the trucks that were billed was not on the contract, but they did collect \$187.00. He said the truck has since been added to the contract. He said the Town receives payment in a timely manner. The fees include costs to cover the employee and is similar to what the Town provides such as workers compensation, etc. He said if the Town were to take someone off of shift and send them to fight the wild fire, the contract allows for payment of a firefighter to come and work that person's shift. In essence, they would be paying for two people, but only getting one.

Vice-Mayor Smith inquired about damage and lost equipment. He said a lot of damage could occur to a fire truck if it is driven off of a main, paved road. He inquired how is it determined when the Town should respond to a wild fire.

Mr. Patel said response is dependent on the availability of resources. He said the priority is to always maintain coverage for our municipality.

On motion of Vice-Mayor Smith, seconded by Councilmember Woolridge and carried to enter into a Cooperative Fire Rate Agreement with the Arizona State Forestry Division, Office of the State Forester.

**NEW BUSINESS**

**Resolution No. 1340-12:**

Mr. Patel read Resolution No. 1340-12 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE FLORENCE SILVER KING MARKETPLACE LEASE POLICY.**

Mr. Patel said the policy establishes criteria on how the Town wants to manage the Silver King Marketplace. He said most of the provisions contained in the policy are the same provisions on the lease agreements that have come before Council.

Councilmember Brown said she noticed that the second floor is limited to business/office, and inquired if retail will not be allowed on the second floor.

Mr. Scott Bowles, Economic Development Coordinator, stated that office space would not be allowed on the first floor, but would be allowed on the second floor. Retail space will be allowed on both floors. He said there are restrictions on the ground level and its purpose is to attract foot traffic.

Mr. Patel explained that Section 5 of the policy lists the prohibited uses for the building.

Councilmember Brown inquired if the spaces in the second floor could be split.

Mr. Patel said the splitting of the space is a possibility.

On motion of Councilmember Hawkins, seconded by Councilmember Woolridge and carried to adopt Resolution No. 1340-12.

#### **Resolution No. 1341-12:**

Mr. Patel, Town Manager, read Resolution No. 1341-12 by title only.

#### **A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, REGARDING THE APPLICATION FOR THE ESTABLISHMENT OF A FOREIGN TRADE ZONE CONSISTING OF FOUR PROPOSED SITES BASED IN AND AROUND THE CITY OF ELOY, PINAL COUNTY, ARIZONA.**

Mr. Bowles said that in 2010, the City of Eloy began the application process with the US Department of Commerce to establish a site-specific Foreign-Trade Zone (FTZ) on four properties located within the city and just outside of its incorporated boundary to the east. Each application to create a FTZ is reviewed by a Foreign-Trade Zone Board (FTZ Board), which is composed of representatives from the US Departments of Commerce and Treasury. Unlike Maricopa and Pima Counties, Pinal County currently lacks any municipality with a designated FTZ.

Mr. Adam Trank, Rose Law Group, said their firm represents the Walton Group, which is the private entity that has partnered with the City of Eloy for the public/private partnership to secure the Foreign Trade Zone through the Department of Commerce. He said the application is at a critical juncture right now. He said the Department of Commerce is going to re-review the application. Eloy has reached out to the neighboring municipalities in the region to get a show of support. Casa Grande, Coolidge, Maricopa and Pinal County will be taking action on similar resolutions in support of the Foreign Trade Zone to help usher the approval.

Mr. Trank thanked the Town for considering the measure. He said the Foreign Trade Zone will be a positive thing for the entire region. It will help spur economic development by encouraging investment.

On motion of Vice-Mayor Smith, seconded by Councilmember Woolridge and carried to adopt Resolution No. 1341-12.

#### **DEPARTMENT REPORTS**

##### **Manager's Report**

**Department Reports**  
**Community Development**  
**Court**  
**Finance**  
**Fire**  
**Library**  
**Parks and Recreation**  
**Police**  
**Public Works**

The department reports were received and filed.

### **CALL TO THE COUNCIL**

Mayor Kilvinger thanked the Aero Modelers for their attendance. She said she appreciates all that they have done. She thanked all those who attended Country Thunder and thanked all those who attended the Council meeting.

Vice-Mayor Smith reminded the public that ballots will be mailed out on April 19, 2012. He encouraged everyone to vote and to make sure to sign the envelope before mailing the ballot.

### **ADJOURNMENT**

On motion of Councilmember Brown, seconded by Councilmember Hawkins and carried to adjourn the meeting at 6:20 p.m.

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Vicki Kilvinger, Mayor

### **ATTEST:**

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Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on April 16, 2012, and that the meeting was duly called to order and that a quorum was present.

---

Lisa Garcia, Town Clerk

**TOWN OF FLORENCE  
HISTORIC DISTRICT ADVISORY COMMISSION**

**REGULAR MEETING MINUTES OF THE HISTORIC DISTRICT ADVISORY COMMISSION OF THE TOWN OF FLORENCE HELD WEDNESDAY, JANUARY 25, 2012 AT 6:00 P.M. IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Vice-Chair Reed called the meeting to order at 6:02 pm.

**ROLL CALL:**

Present: Reid, Smith, Wheeler and Cochran

Absent: Feliz and Madden

**PLEDGE OF ALLEGIANCE**

Gilbert Olgin, Town Planner, led the Pledge of Allegiance.

**DISCUSSION/APPROVAL/DISAPPROVAL** of the minutes of the September 27, 2011 special meeting and November 30, 2011 regular meeting.

On motion of Commissioner Wheeler, seconded by Commissioner Cochran and carried to approve the minutes of the September 27, 2011 special meeting and November 30, 2011 regular meeting.

**NEW BUSINESS**

**CASE HDAC-07-11-DR (LIBERTY TAX SERVICE BUILDING)**

**PRESENTATION/APPROVAL/DISAPPROVAL** of a Signage Design Review application for the Liberty Tax Service building located at 208 North Main Street in Florence, Arizona.

**APPLICANT: LIBERTY TAX SERVICE**

Gilbert Olgin, Town Planner, stated that the Liberty Tax Service provides computerized income tax preparation service, electronic filing, audit assistance and free review of income tax returns.

As of December, 2011, there are approximately 4,100 Liberty Tax offices across the United States and Canada. To date, Liberty Tax is the fastest growing international tax service company ever. Liberty Tax opened an office in Casa Grande in 2006 and a second office in Coolidge in 2008. Due to the success of those offices, and to better serve its customers in Pinal County; Liberty Tax is expanding into Florence. The new office is located in the Historic District at 208 N. Main Street.

Both owners, Joe Rullo and Tom Gismondi, are Certified Public Accountants with over 20 years of accounting, finance and tax experience. Liberty Tax strives to be good business citizens and serves as national sponsors for a number of nonprofit organizations including Cell Phones for Soldiers, Relay for Life and Run for Food. Liberty Tax is a member of the Florence Chamber of Commerce.

The applicant has submitted a Design Review application for a new wall sign for their building at 208 North Main Street, Florence, Arizona located at the northwest corner of Main Street and 10<sup>th</sup> Street. The wall sign will be located on the east side of the building facing Main Street.

Staff recommends approval of the Design Review application for the Liberty Tax Service Building (**HDAC-07-11-DR**), subject to the following conditions:

1. Construction of sign shall conform to the exhibits presented on January 25, 2012, and as may be amended by the conditions of approval.
2. Design Review Signage approval shall expire in one (1) year from this approval (January 25, 2012) if a building permit is not issued for the subject site/project within said period.
3. Project to comply with all applicable Town Codes, including all applicable Planning, Building Safety, Fire Safety and Engineering requirements.

Commissioner Smith stated she was probably the only one that was around in the 1940's and she does not remember Plexiglas being used back then. She would prefer that the sign be made of wood or metal and therefore, she will vote against the case.

Gilbert Olgin, Town Planner, commented that when staff speaks to the applicant, staff will require all signage to conform to Town Code but will suggest the guidelines be a major consideration. He reiterated that the proposed signage followed Town Code.

Vice-Chair Reid mentioned that many businesses strive to be in the Historic District and do not realize that there are certain considerations that are expected to be acknowledged. If the Liberty Tax Service was on the Highway, then none of the rules would apply; but the Historic District Advisory Commission tries to enforce Historic issues. After all, the current case falls in the Historic District.

On motion of Commissioner Wheeler, seconded by Commissioner Cochran to approve Signage Design Review application for the Liberty Tax Service building located at 208 North Main Street in Florence, Arizona.

Roll call vote:

- Vice-Chair Reid; No
- Commissioner Smith; No
- Commissioner Wheeler; Yes
- Commissioner Cochran; Yes

Motion failed (Yes: 2; No: 2)

**CASE HDAC-01-12-DR  
(PINAL COUNTY SCHOOL OFFICE)**

**PRESENTATION/APPROVAL/DISAPPROVAL** of a Signage Design Review application for the Pinal County School Office located at 75 North Bailey Street in Florence, Arizona.

**APPLICANT: TOM WILLIAMS**

Gilbert Olgin, Town Planner, stated the Pinal County School Superintendent's Office is a department of Pinal County Government. The department is directed by the County School Superintendent who is an elected official. The purpose of the department is to provide fiscal services to the school districts within the County. Services provided include, but are not limited to, processing warrants for school districts for payroll and accounts payable, maintaining teacher certifications, reconcile county school office general ledgers to the county treasurer's office, provide reconciliations to school districts so they can balance with the county school office, provide assistance with budgets, tax rates, school district elections, provide assistance to citizens for home school information, liaison between school districts and other local, county state and federal entities, etc.

Prior to the School Superintendent's Office being relocated, the Child Support Division of the County Attorney's office was located at 75 North Bailey Street.

Approximately 8 years ago, the County Attorney moved all of its divisions into the Main Street Administration Building, which was partially housed by the School Superintendent's Office, thereby relocating the School Superintendent's Office to the current location of 75 North Bailey Street.

The applicant has submitted a Design Review application for a new wall sign for their building at 75 North Bailey Street, Florence, Arizona located on the south side of Bailey Street and 13<sup>th</sup> Street.

The purpose of this request is to provide adequate signage to the building in order to provide services to the citizens of Pinal County. There currently is no signage that exists identifying the office. This continues to create confusion in the part of individuals that need to locate the County School Superintendent's Office.

Staff recommends approval of the Design Review application for the Pinal County School Office (**HDAC-01-12-DR**), subject to the following conditions:

1. While being exempt from Town Zoning regulations, it is requested that Pinal County School Superintendent's Office:
  - A. Construction of sign shall conform to the exhibits presented on January 25, 2012, and as may be amended by the conditions of approval.
  - B. Project to comply with all applicable Town Codes, including all applicable Planning, Building Safety, Fire Safety and Engineering requirements.
  - C. Design Review approval shall expire in one (1) year from this approval (January 25, 2012) if a building permit is not issued for the subject site/project within said period.

Tom Williams, Pinal County School Superintendent's Office, wanted to stress that Orlenda Roberts, Pinal County School Superintendent, wants to work closely with the Town of Florence and understands that Governmental entities have more freedom on how the Town Codes apply to them. They wish to fully comply with the HDAC decisions on their case.

Vice-Chair Reid appreciates the Pinal County School Superintendent's Office willingness to comply with the HDAC decision.

On motion of Commissioner Wheeler, seconded by Commissioner Cochran and carried to approve Signage Design Review application for the Pinal County School Office located at 75 North Bailey Street in Florence, Arizona.



**LETTER OF SUPPORT  
(HISTORIC 1891 SECOND PINAL COUNTY COURTHOUSE)**

**DISCUSSION/APPROVAL/DISAPPROVAL** of a letter of support of the Pinal County Board of Supervisors' decision (via recommendation of the County Manager) to provide funding to repair the Historic 1891 Second Pinal County Courthouse.

**APPLICANT: TOWN OF FLORENCE**

Gilbert Olgin, Town Planner, mentioned that per the request by the Chairman Feliz of the HDAC, a letter of support was drafted to emphasize the support for the 2<sup>nd</sup> Pinal County Courthouse Rehabilitation Project. Comments were published in the local Town newspaper that referenced the 2<sup>nd</sup> Pinal County Courthouse Rehabilitation Project in a negative way and a letter of support for the project would seem appropriate.

Vice-Chair Reid stated she was aware the current Supervisor who had supported the 2nd Pinal County Courthouse Rehabilitation Project will no longer run for office. The potential Supervisor who may take the spot is not in support of the same project.

On motion of Commissioner Smith, seconded by Commissioner Wheeler and carried to approve a letter of support of the Pinal County Board of Supervisors' decision (via recommendation of the County Manager) to provide funding to repair the Historic 1891 Second Pinal County Courthouse.

Commissioner Wheeler asked staff to inquire about the Florence Town Council possibly providing a letter of support.

**CALL TO THE PUBLIC/COMMISSION RESPONSE:** Call to the Public for Comment is limited to issues within the jurisdiction of the Town of Florence Historic District Advisory Commission. Individual Commission members may respond to criticism made by those commenting, may ask staff liaison to review a matter raised, or may ask that a matter be put on a future agenda.

Ruth Harrison, Florence Arizona, asked the HDAC Commission to use their influence to help clean up the lettering on the Mauk Building in time for the 2012 Florence Home Tour. She would like to volunteer to clean up the lettering on the Mauk Building and other historic buildings.

The Commissioners commented on some issues that exist in the Historic District.

## **STAFF REPORT**

- **Update - Historic Markers**
- **Update – Emergency Demolition Kokopelli Moon Saloon**
- **Update – Official status of the Adamsville Cemetery**

Gilbert Olgin, Town Planner, gave a brief update on all three update items.

## **CALL TO THE COMMISSION**

Un-Audible

## **ADJOURNMENT**

Vice-Chair Reid adjourned the meeting at 6:40 pm.

A. Christine Reid  
Vice-Chair Reid

FLORENCE COMMUNITY LIBRARY  
**Joint-Use Library Advisory Board**

1000 S. Willow St. / P. O. Box 985  
Florence, AZ 85132

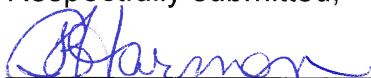
**Minutes**

Regular Meeting

March 21, 2012 – 6:00 p.m.

1. The meeting was called to order at 6:02 pm by Denise Kollert.
2. Members present were: Sheree Berger, Eugene Horan, Denise Kollert, Hermalene Wick, Vallarie Woolridge, and Rosemary Bebris.
3. Minutes from the meeting of February 15, 2012 were approved on a motion by Sheree Berger, seconded by Hermalene Wick, and passed.
4. The Library Director's report included the following:
  - More than thirteen hundred students entered the 15<sup>th</sup> Annual Bookmark contest this year. Winners will be announced during a reception at the library on March 31<sup>st</sup>. All entries will be displayed at the library throughout the month of April.
  - The Friends of the Library will offer a discount on book sale titles in April. Hardcover books will be sold for twenty-five cents each, and paperbacks will be sold two for a quarter.
  - The Florence Community Library invites adults to join Peggy Dunn on Tuesday, March 27, at 5:30pm as she demonstrates how to make quilted pins, and then patrons create their own.
5. Ms. Bebris reviewed the proposed policy change. She explained that the Arizona Legislature renumbered the Arizona Revised Statutes and that we would need to update our policy with the correct ARS number. A motion was made by Hermalene Wick, seconded by Eugene Horan and passed to approve updates to the Florence Community Library Confidentiality Policy.
6. The next meeting was scheduled for April 18, 2012.
7. The meeting was adjourned at 6:14 pm.

Respectfully submitted,



Talma Harmon, Secretary

Approved,

Denise Kollert

Denise Kollert, Chairperson

**MINUTES OF THE SPECIAL MEETING OF THE TOWN OF FLORENCE REDEVELOPMENT COMMISSION HELD ON TUESDAY, DECEMBER 6, 2011 AT 6:00 P.M. AT THE TOWN OF FLORENCE COUNCIL CHAMBERS, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**1. CALL TO ORDER:**

Vice-Chairman Speck called the meeting to order at 6:12 p.m.

**2. ROLL CALL:**

Present: Shaw, Kelly, Speck  
Absent/Excused: Kizer, Puglia

**3. MINUTES: APPROVAL OF THE MINUTES FOR THE APRIL 26, 2011 MEETING**

On motion of Commissioner Kelly, seconded by Vice-Chairman Speck and carried to approve the minutes of the April 26, 2011 Meeting.

**4. NEW BUSINESS**

**a. Introduction of Scott Bowles, Economic Development Coordinator**

Mr. Himanshu Patel, Town Manager, introduced Scott Bowles, Economic Development Coordinator to the Commission. He said that Mr. Bowles started with the Town in mid-September 2011 and will be the Staff Liaison to the Commission. Mr. Bowles has worked previously with Pinal County. He has a Masters in Public Administration and experience in economic development. Mr. Patel said that Mr. Bowles has begun engagement with various stakeholders in the community, such as the Main Street Program, Chamber of Commerce, and IDA.

Mr. Patel said that there are several projects before the Town in terms of economic development and some of the aspects of formal programs that the Town will be developing as well as how they are correlated with the Downtown Redevelopment District. He said there are a variety of overlays in the community and each have special and unique characteristics and needs. He said Mr. Bowles has his work cut out for him.

**b. Development of Redevelopment Commission Work Plan**

Mr. Patel said that there is money allocated for the Redevelopment Commission along with the downtown area. The monies are derived from other areas to the downtown area. He asked the Commissioners what their priorities are for the next year.

Commissioner Kelly said that one priority that she would like to see is focus on occupying vacant buildings and/or owners rehabbing vacant buildings. She said the downtown looks deserted. She would like to see more business on Main Street.

Mr. Patel said the part of the challenge will be acquisition of the building and the cost to renovate the building. He said the Town has begun to see investment and the property owners willing to spend money to renovate the buildings. He said the Infill Incentive District was implemented last year and allows a reduction or waiver in fees. He said the Town has been in discussion with two property owners to utilize this tool (Bailey House and another building west of what was the Gentry's store). He said the other aspect is continuation of the commercial rehab program.

Mr. Patel said that people have inquired why the property owners can't be cited or taxed at a higher tax rate if the building is unoccupied or a nuisance. He said that the tools at the State level do not allow for taxation or penalties associated with dilapidated buildings, unless there is a hazard to the public, in which the Town can condemn the buildings.

Commissioner Kelly said it would be nice for the property owners to have pride in their buildings. She said there are beautiful buildings on Main Street; however, many of the buildings may not be up to code since they have been vacant for so long.

Mr. Patel said that the Main Street Program has an inventory of the building, their owners, and their condition. He said there are several absentee landlords who do not live in Florence. He said there are property transactions occurring. He said when you have people who live in the community will have a vested interest in their property.

Commissioner Shaw inquired if there are any plans to build on the General Store site.

Mr. Patel said there are no plans from the current property owner. He said the Town has been involved with regards to having to utilize Police powers to get the property owner to clean up and level the property. The property owner has contracted with a local contractor to level and grade the property. He said once the property is cleared, the Town will approach the property owner to acquire the lot. He said it is a critical lot from the Town's perspective and another structure is needed. He doesn't want to see a parking lot on the property.

Commissioner Shaw inquired about aesthetics along Main Street. He would like more aesthetics to be done on Main Street. He would like the visitors to get a "picture" of Florence and its history.

Mr. Patel said the Town has established five gateway signs, which is a beautification aspect. He said the Town hasn't secured any land for the signs. The three adobe signs that are out there are aged and are weatherized. He said landscaping would be included with the gateway signs. He said discussions have occurred with ADOT for the design concept for the roundabout by Burger King. He said roundabout will have four connecting points (Florence Heights, Main Street, SH 287, and SH 79B) and in the middle will be a gateway component. He said the Town is hoping that ADOT moves on it fairly soon. He identified the possible location for the gateway signs to include:

- Located at the "Y" by Burger King (Highway 287 and 79)
- South 79 towards rodeo grounds
- North 79 by CAP Canal
- Franklin and Hunt by the Florence Hospital in Anthem

Mr. Patel said the Streetscape Project is another project within the Redevelopment District. He said it has some movement. ADOT has agreed to take over the project and will begin procurement of a contractor in the spring of 2011. He said the project will include beautification from Butte to Ruggles. He said the Town also received an SSP grant from the Department of Housing for curbs. He said the sidewalks are approximately 18 -24 inches high and are not ADA compliant. The project will encompass taking every intersection from Ruggles to Butte on Main Street and stamp concrete the crosswalks and lower the grade at the ramps (4 corners of each intersection) to allow it to be ADA compliant. He said new streetscape furniture, lighting, and signage will be included. There is a designated area on Ruggles and Main Street (by the Silver King) for a monument sign that will be on the ground informing those that they are entering downtown historic Florence. There will be another monument on the twenty foot easement on Main Street and Butte; which was dedicated to the Town by National Bank.

Chairman Kelly asked how tall the sign will be.

Mr. Patel said it will be approximately 3 ½ to 4 feet high.

Mr. Patel said that reuse of the buildings south of Butte on Main Street is also important; and there are approximately six buildings that are vacant.

Vice-Chairman Speck inquired about the Qwest building.

Mr. Patel said Langley Properties is the owner of the Qwest building and the Cosmopolitan. He said Mr. Langley has acquired 6000-7000 acres of land within the Town of Florence. He said there is now a need for Langley Properties to do business with the Town of Florence and are willing to cooperate and invest in historic buildings. He said that Mr. Langley has much interest in rehabilitating the buildings. The Town is getting a lot of cooperation from the property owner. They have commissioned additional plans for the buildings.

Vice-Chairman Speck inquired if ADOT will repave in front of the Silver King when they start the Streetscape improvements.

Mr. Patel said that ADOT does not own any part of Main Street north of Butte. In order to repave Main Street will require 10 – 12 inches of concrete to be torn up. He said when ADOT owned the road they used concrete to build it because it was built on a wash. He said the Town will have to continue to do patch and repair work; but it will require extensive work to remove the concrete.

Vice-Chairman Speck inquired about the North South Corridor and how it will affect the downtown area.

Mr. Patel said on November 7, 2011, Council approved a route. The Town will be advocating that route to ADOT. He said the Town held a State Transportation Board Meeting and Reception and encouraged ADOT to which route the Town would like to see happen. He said

the route would come from Ironwood or Goldfield and head south, following the CAP Canal, and intersecting at Felix Road and Arizona Farms, continuing to follow the CAP canal again and crossing Hunt Highway on the east side of F mountain, crossing the river around Plant Road, and then veering southwest towards Valley Farms Road. He said the Town wants the North-South Freeway corridor to intersect at Arizona Farms Road around Felix Road, to intersect at Hunt Highway near the east side of F Mountain, and interchange at SH 287, just on the east side of Valley Farms Road. He said that it is the closest route to the downtown. He said in the long term, the Town envisions an interchange at Butte.

Vice-Chairman Speck inquired if there will be two bridges that will cross the river.

Mr. Patel said that there will be two bridges; one local and one interstate.

Vice-Chairman Speck said that having access to the downtown will help Florence. She inquired if the Town has received any opposition.

Mr. Patel said the only opposition that the Town has received is from residents on the west end of Caliente who think it will create a lot of noise. He said that he hopes it won't be a deterring factor. He said it will help generate more traffic, particularly on the west side of the community. He said the Town will get away from the stigma of no Main Street in Florence.

Mr. Patel said the Main Street program has a façade grant program in which property owners are able to apply and receive certain amount of dollars for simple things such as painting, enhancement of a sign etc.

### **c. Update on the Redevelopment District Project**

Mr. Scott Bowles, Economic Development Coordinator gave an update on each of the projects:

- North End Framework Project
  - Received an APA Award for Best Project and Study
  - Good foundation to build upon

Vice-Chairman Speck inquired what the North End Framework Plan contained.

Mr. Bowles stated that it is split up to a few areas, such as mixed agricultural. It contains agricultural businesses, waterfront area for recreation, mixed commercial residential and higher density residential. He said there is an area where Historic Main Street and North End Framework meet and commercial and residential mix to give it a nice tie in. The Plan provides a list of steps to make it happen. He said it will take a lot of capital investment to get it from paper into reality. He discussed the following:

- Commercial Rehab
  - Update received from Grants Department
  - Lag in the project is due to:
    - Initial Pre-Bid Meeting rescheduled for Friday, December 9, 2011
    - Bid Submittal and opening rescheduled for January 6, 2012
    - Project is keeping its original closing date of 5-30-2012



- Three week delay due to publishing of the initial pre-bid materials
- Everything is on track to move forward per deadlines
- Pinal County Courthouse
  - Toured facility and seen the mush work that has been completed
  - Pinal County website has part of their website dedicated to the renovation of the courthouse
  - Website is constantly being updated
  - On progress to meet the deadlines
  - Unique what has been uncovered through the renovation
- Silver King
  - Three suites are currently occupied
    - Silver King Hair Company
    - Second Hand Rose Consignment Shop
    - The Fudge Shop
  - Suite 202 is vacant
    - Has tendency to be vacant due to it being on the second floor and the size of the space (1140 sq. ft)
  - Economic Development and IT received paperwork for the Arizona Commerce Authority Rule – Economic Development Grant (due January 7, 2012)
    - Have an idea to fill Suite 202 with a business development center or innovation center called Gangplank.
      - Gangplank is a non-profit focusing on business cooperation and not competition
      - Offers a venue for people to come and have open meeting space, access to technology (innovation hub)
      - Has non-competition clause with Chandler
      - Will draw people to downtown Florence and can be a gateway by offering a tool to increase their business

Chairman Kelly inquired if they have a website.

Mr. Bowles said that they have a website. He said they have a video that will also depict the entire facility.

Mr. Bowles discussed the following:

- Highway kiosk program:
  - Revenues – has received approximately \$1120 to date
  - More than developers are using the kiosk program
  - Chamber of Commerce is extending opportunity to be on the kiosk program to local businesses and will be extending it further than local businesses in the near future
  - Kiosks are filling up quickly
  - Downtown kiosk is finally full
    - Main Street posted the panels on the downtown kiosk
    - Windmill, Curis, and Holiday Inn have purchased space on the downtown kiosk
    - Have received many positive comments

- Florence Hospital at Anthem
  - Community Development receives a weekly/bi-weekly update on the progress
    - Completion date is scheduled for January 16, 2012
    - Will be a full service hospital
    - 31 Minutes from Door To Doc System
- ADOT Corridor
  - Public workshop is coming up next week in Coolidge
  - Important for ADOT to know what Florence wants to see happen with the corridor

Commissioner Kelly inquired what would happen if there isn't a connection to Florence and Florence is bypassed.

Mr. Bowles said he has looked at a few plans and believes that ADOT will want to invest dollars on what is best for the commuters and municipalities. He said there are two paths that may bypass Florence; however it will be make the routes longer, doesn't offer anything to the commuters, and is of no benefit to anyone.

Mr. Bowles discussed the following:

- Other Economic activities:
  - Business Retention and Expansion Program (BRE Program)
    - Working with Chamber of Commerce and Main Street Program to get the program off the ground.
    - Needs of business community, problems and weaknesses
    - Business community understands the need for support; however, the message isn't clear; desires vary
    - Addressing the problems with economy, need business retention and expansion
    - Committee is being comprised of business owners
    - Start date is January 1, 2012
    - Completion is expected late summer/early fall
    - Businesses will be asked to complete a survey; data will be compiled, and the report will be presented to Council
      - Report can help address policy, identify if additional financing is needed, and/ or creation of services for business community
    - The BRE Program can be done every one to two years
- Economic Development website
  - Currently, there is nothing on the Town website for economic development
  - Is working on building basic content for outline and adding information
  - Wants to build a guide to help businesses on a step-by-step basis along with information for existing businesses
  - Wants the website to be a good resource and user-friendly
- Monthly Triangulation meeting with the Main Street Program and Chamber of Commerce
  - Misconception is that the three entities do not like to work together; which is not true
  - Have a good working relationship
  - Meet the first Thursday of the month

- Discuss current and upcoming events
  - Address concerns that they have heard in the business community
  - Address issues to ensure that they are not duplicating their efforts and/or resources
  - Reached out to Pinal County Economic Development and Coolidge Chamber of Commerce
  - Are reaching out to other Chambers of Commerce to become regional partners to realize what is going on in Florence and to build regional ties.
  - Hope is to have the meeting well attended by both businesses and citizens
- Google Places Initiative
- Only 10 – 15% of Florence’s businesses are on Google Maps.
  - Many of the owner’s do not have Google Maps administrative ownership
  - Many owners have collective ownership, which does not give them administrative rights to make changes
    - Collective ownership is based on hits on Google search bar
  - Google account user can change business name, add pictures, comments, etc. as a Google account user
  - Most of those seeking information use Google to gather information, addresses, etc.
  - Exposure online is very important to target the market
  - Mr. Bowles has created hand-out for owners to help the owners create account, etc. to get their businesses on Google Maps
  - Trying to get Florence to be a “Google community”
    - Incentive is Google may feature information on their banners
    - Google may send in their photographers to update the pictures of the streets, etc.
    - Important to submit corrections to Google; may take some time for the corrections to be done because Google has to review and approve each change

Vice-Chairman Speck inquired what businesses have been approved for the commercial rehab grants. She inquired when the projects should be completed.

Mr. Bowles did not have a list readily available; but will be providing the names at a later time. He said the projects should be completed by the end of May 2012.

Commissioner Kelly inquired if a training can be done for the Redevelopment Commission as a refresher course as well as to prioritize their goals and objectives and to ensure they are in alignment with the wants of the Council.

Mr. Bowles said that he will discuss this with the Town Clerk. The goal of the training will be for Redevelopment Commission 101 and for the creation of a work plan and what the basic duties are of serving on the Commission.

Commissioner Kelly inquired if it would be beneficial for the Boards/Commissions to meet together on a monthly or quarterly basis to discuss on what each is working on.

Mr. Bowles said that it may be difficult, but could be an option. He said that the minutes will reflect what each Board/Commission is working on.

**5. CALL TO THE PUBLIC**

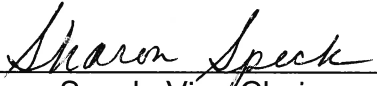
There was no public comment.


**6. CALL TO THE BOARD**

Commissioner Kelly welcomed Mr. Bowles and said that the Board looks forward to working with him.

**7. ADJOURNMENT**

On motion of Commissioner Kelly, seconded by Vice-Chairman Speck and carried to adjourn the meeting at 7:40 p.m.

  
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Sharon Speck, Vice-Chairman

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>7a.</b>
<b>MEETING DATE:</b> May 7, 2012  <b>DEPARTMENT:</b> Legal Department / Police Department  <b>STAFF PRESENTER:</b> James E. Mannato, Town Attorney  <b>SUBJECT:</b> Ordinance No. 577-12: Amendments to Florence Code, General Offenses, Chapter 132, Section 132.06 – Public Urination		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <div style="margin-left: 20px;"> <input type="checkbox"/> Regulatory  <input checked="" type="checkbox"/> 1<sup>st</sup> Reading  <input type="checkbox"/> 2<sup>nd</sup> Reading         </div> <input type="checkbox"/> Other

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Ordinance No. 577-12, amending Town Code Chapter 132 by adding Section 132.06 - Public Urination.

**BACKGROUND/DISCUSSION:**

Recently, the Florence Police Department has experienced an increase in the number of individuals who are seen urinating in public and has received an increased number of complaints for this offensive act. Several individuals have been identified as “repeat offenders” due to repetitive instances of such conduct along with citizen complaints. Therefore, the Police Department has requested the addition of a local ordinance which would aid in the apprehension of individuals who habitually cause offense to others by urinating in public.

The recommended amendment to Town Code Chapter 132 would add Section 132.06, making it unlawful to urinate or defecate in public. The Town Code currently has no provisions which allow a person to be arrested or charged with this “offense against public order”, nor are there any similar provisions under Arizona State Law.

**FINANCIAL IMPACT:**

None at this time.

**STAFF RECOMMENDATION:**

Adopt Ordinance No. 577-12

**ATTACHMENTS:**

Ordinance No. 577-12

**ORDINANCE NO. 577-12**

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING CHAPTER 132 OF TITLE XIII OF THE CODE OF THE TOWN OF FLORENCE, ARIZONA, BY ADDING SECTION 132.06 – PUBLIC URINATION OR DEFECATION PROHIBITED**

**WHEREAS**, the Town of Florence desires to prevent the occurrence of public urination violations within its Town boundaries; and

**WHEREAS**, the Mayor and Town Council of the Town of Florence, Arizona, have determined that an ordinance making unlawful public urination or defecation, would be beneficial to the citizens of the Town of Florence.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Town of Florence, Arizona, that the Code of the Town of Florence, Arizona, is hereby amended by adding Section 132.06 of Chapter 132 of Title XII, which shall read as follows:

**§ 132.06 – PUBLIC URINATION AND DEFECATION PROHIBITED**

(A) It shall be unlawful for any person to urinate or defecate in any public place, roadway, right-of-way, alley, sidewalk, public park or any place exposed to public view, except by proper use of a toilet or other suitable facility provided for this purpose.

(B) A person who violates this section is guilty of a Class 1 Misdemeanor.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Town of Florence, Arizona, that Title XIII, Chapter 132, Section 132.06 of the Code of Florence, Arizona, shall, as set forth herein, continue thereafter in full force and effect until further action of the Council.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 21<sup>st</sup> day of May 2012.

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Vicki Kilvinger, Mayor

**ATTEST:**


**APPROVED AS TO FORM:**

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Lisa Garcia, Town Clerk

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James E. Mannato, Town Attorney

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 7b.</b>
<b>MEETING DATE:</b> May 7, 2012  <b>DEPARTMENT:</b> Legal Department/Police Department  <b>STAFF PRESENTER:</b> James E. Mannato, Town Attorney  <b>SUBJECT:</b> Ordinance No. 578-12: Amendments to Florence Code, General Offenses, Chapter 132, Section 132.05 – Public Incapacitation		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading <input type="checkbox"/> Other

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Ordinance No. 578-12, amending Town Code Chapter 132 by adding Section 132.05– Public Incapacitation.

**BACKGROUND/DISCUSSION:**

Recently, the Florence Police Department requested the addition of a local ordinance which would aid in the apprehension of individuals who have become so intoxicated in public that they are either incapacitated or present a risk to themselves, others, or to property.

The recommended amendment to Town Code Chapter 132 would add Section 132.05, making it unlawful to be incapacitated by drugs or alcohol in public. The Town Code currently has no provisions which allow a publicly intoxicated person to be arrested, nor are there any similar provisions under Arizona state law.

**FINANCIAL IMPACT:**

None at this time.

**STAFF RECOMMENDATION:**

Adopt Ordinance No. 578-12

**ATTACHMENTS:**

Ordinance No. 578-12

**ORDINANCE NO. 578-12**

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING CHAPTER 132 OF TITLE XIII OF THE CODE OF THE TOWN OF FLORENCE, ARIZONA, BY ADDING SECTION 132.05 – PUBLIC INCAPACITATION PROHIBITED.**

**WHEREAS**, the Town of Florence desires to prevent the occurrence of public intoxication or incapacitation within its Town boundaries; and

**WHEREAS**, the Mayor and Town Council of Florence have determined that an ordinance making unlawful public intoxication or incapacitation would be beneficial to the citizens of the Town of Florence.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Florence, Arizona, that the Code of the Town of Florence, Arizona, is hereby amended by adding Section 132.05 of Chapter 132 of Title XIII, which shall read as follows:

**§ 132.05 – ALCOHOL AND DRUG INCAPACITATION**

(A) No person shall be in a public place under the influence of alcohol, toxic vapors, poisons, narcotics or other drugs not therapeutically administered, when it reasonably appears that he or she may endanger himself/herself, or other persons or property.

(B) A person who violates this section is guilty of a Class 1 Misdemeanor.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Town of Florence, Arizona, that Title XIII, Chapter 132, Section 132.05 of the Code of Florence, Arizona, shall, as set forth herein, continue thereafter in full force and effect until further action of the Council.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 21<sup>st</sup> day of May 2012.

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Vicki Kilvinger, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Lisa Garcia, Town Clerk

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James E. Mannato, Town Attorney